

**EXTENSION OF REMARKS  
U.S. REP. NICK J. RAHALL, II  
June 24, 2004**

**The Fisheries Management Reform Act of 2004**

**As Ranking Member of the Committee on Resources, today I am introducing a bill that would bring the management of our Nation's ocean fisheries into the 21st century. In this regard, I am pleased to note that the "Fisheries Management Reform Act of 2004" is being introduced with 15 original cosponsors including the gentleman from California, Sam Farr, who serves as co-chair of the House Oceans Caucus.**

**For my part, I am introducing this measure for two fundamental reasons. First, I believe that we have a responsibility to ensure that our fish stocks – a public resource that belongs to all Americans – will be managed sustainably and based on science, not politics. More importantly, because without sustainably managed fisheries, there will be no fishing industry at all. I do not come to this point lightly, and I appreciate the importance that this issue holds for many Members and their constituents.**

**As it stands, two separate and well-respected commissions – the U.S. Commission on Ocean Policy and the Pew Ocean Commission – were both charged with reviewing our ocean management systems and both made recommendations regarding the need to reform our fisheries management system. Their reports represent several years of research by ocean experts who traveled to coastal communities dependent on commercial and recreational fishing. The Fisheries Management Reform Act of 2004 represents the first legislation proposed to implement those expert recommendations. This is a small step of many that we, as Congress, can take to remedy a system of governance that has not done enough to protect our oceans and, consequently, the communities that depend on them.**

**In this regard, the "Fisheries Management Reform Act of 2004" would require a broader public interest representation on the Regional Fishery Management Councils, the bodies that are stewards of our Nation's fisheries and are currently dominated by commercial and recreational fishing interests. I am aware of no other public trust resource where management decisions are being made by the very industry that is to be regulated. The bill would require training of all appointed members in fishery science and basic stock assessment, social science and fishery economics, and the legal requirements of the Magnuson-Stevens Act, the National Environmental Policy Act, and other pertinent laws. Not only will these two provisions diversify the interests on the Council, but also ensure that those**

appointed are knowledgeable about fisheries management.

Second, the bill would strengthen current conflict of interest provisions in the Magnuson-Stevens Act. An individual would not be allowed to vote on a Council decision affecting their financial interests. Understanding the unique nature of fisheries management, I fully support and appreciate the participation of fishermen in the Council process. In instances where fishermen, commercial or recreational, are faced with decisions affecting their livelihood and simultaneously, the sustainability of the fishery, the current process puts these individuals in the compromised position of serving two masters. Generally, it is the fish stocks that pay the price.

This legislation also would ensure science-based management of our fisheries. By allowing scientists to recommend appropriate catch limits and the Councils to determine how that catch should be allocated, this bill would remove council members from that untenable position of choosing between the health of the resource and catching enough fish to pay their health insurance. Scientists are better suited for determining sustainable harvest levels, while fishermen, who will remain an integral part of the Council process, should not have to be experts on the vast complexities of ocean science. Their expertise can be used best in managing and allocating the resource, and in developing improved fishing methods and technologies, without also being responsible for the status of the stocks.

Not the timber industry, not the mining industry - as a matter of fact, no other industry I can think of is allowed to regulate itself like the fishing industry does. This system may have made sense when Congress first put it in place more than two decades ago, but it's clear now that a chronic condition of conflict of interest has created a system that is not working for fishermen or for the fishery resources. In fact, 76 stocks are overfished - over 35% of known stocks.

I do not assume that this bill alone will "fix" in its entirety the current system. The U.S. Commission on Ocean Policy was clear that changes are urgently needed. This bill addresses just one of many problems plaguing ocean resource management. However, the principles of the bill – to manage fisheries for the public good, to reduce financial conflicts of interest, and to ensure that fisheries management is based on the best available science – are indisputable.

I urge my colleagues to support this bill in a bipartisan fashion. The fish do not vote, so I can not offer them as political capital. But if this bill were enacted, we will be better able to ensure sustainable fisheries on a continuing basis, as is required by law, but all too rarely accomplished under the current system. The long-term

**benefits would affect the constituents of every district in this country. Fishermen would be able to pass on their trade to their children. Our inland states would enjoy more fresh seafood caught in our domestic waters. And everyone would be able to catch a big one on their summer vacation.**